

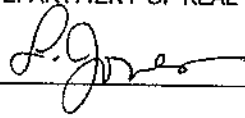
FILED

July 24, 2012

Department of Real Estate
P. O. Box 187007
Sacramento, CA 95818-7007

DEPARTMENT OF REAL ESTATE

Telephone: (916) 227-0789

By 

BEFORE THE DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * *

In the Matter of the Accusation of	)	No. H-5596 SAC
JEFFREY DEWITT BRADSHAW,	)	OAH No. 2011080560
Respondent.	)	

STIPULATION AND AGREEMENT AND DECISION AFTER REJECTION

On May 9, 2011, the California Department of Real Estate ("Department") filed an Accusation against JEFFREY DEWITT BRADSHAW ("Respondent") seeking to discipline Respondent's salesperson license on the grounds that Respondent suffered a substantially related criminal conviction. On February 21, 2012, a hearing was held before the Honorable Rebecca M. Westmore, Administrative Law Judge, Office of Administrative Hearings, State of California, Sacramento, California, where evidence was received and the matter was submitted to the Administrative Law Judge for a Proposed Decision.

On March 12, 2012, the Proposed Decision of the Administrative Law Judge was issued with the court recommending that all licenses and licensing rights of Respondent under the Real Estate Law be revoked; provided, however, if Respondent makes application and pays the Department the appropriate restricted license fee for a restricted real estate salesperson license should be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code.

On March 27, 2012, the Commissioner rejected the Administrative Law Judge's Proposed Decision of March 12, 2012. However, the parties wish to settle this matter without further proceedings

THEREFORE, IT IS HEREBY STIPULATED by Complainant, acting by and through Kenneth C. Espell, Counsel for the Department, and Respondent, in pro per, for the purpose of settling and disposing of the accusation filed against Respondent as follows:

1. The factual findings, the findings of factors in aggravation, mitigation and rehabilitation, and legal conclusions are contained in the Proposed Decision of March 12, 2012 (attached hereto as Exhibit "A"), and are incorporated herein by reference.

ORDER

All licenses and licensing rights of Respondent Jeffrey Dewitt Bradshaw under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson license shall be issued to Respondent pursuant to Section 10156.5 of the Business and Professions Code if Respondent makes application, therefore, and pays to the Department of Real Estate the appropriate fee for the restricted license within 90 days from the effective date of this Stipulation and Agreement and Decision after Rejection. The restricted license issued to Respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions, and restrictions imposed under authority of Section 10156.6 of that Code:

1. The restricted license issued to Respondent may be suspended prior to
hearing by Order of the Real Estate Commissioner in the event of Respondent's conviction or
plea of nolo contendere to a crime which is substantially related to Respondent's fitness or
capacity as a real estate licensee.

///

///

///

///

1 2. The restricted license issued to Respondent may be suspended prior to
2 hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Commissioner
3 that Respondent has violated provisions of the California Real Estate Law, the Subdivided Lands
4 Law, Regulations of the Real Estate Commissioner, or conditions attached to the restricted
5 license.

6 3. Respondent shall not be eligible to apply for the issuance of an
7 unrestricted real estate license nor for the removal of any of the conditions, limitations, or
8 restrictions of a restricted license until three (3) years have elapsed from the effective date of this
9 *Stipulation and Agreement and Decision after Rejection.*

10 4. Respondent shall submit with any application for license under an
11 employing broker, or any application for transfer to a new employing broker, a statement signed
12 by the prospective employing real estate broker on a form approved by the Department of Real
13 Estate which shall certify:

14 (a) the employing broker has read the Decision of the Commissioner
15 which granted the right to a restricted license; and,

16 (b) the employing broker will exercise close supervision over the
17 performance by the restricted licensee relating to activities for which a real estate license is
18 required.

19 5. Respondent shall, within nine (9) months from the effective date of this
20 Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has,
21 since the most recent issuance of an original or renewal real estate license, taken and successfully
22 completed the continuing education requirements of Article 2.5 of Chapter 3 of the Real Estate
23 Law for renewal of a real estate license. If Respondent fails to satisfy this condition, the
24 Commissioner may order the suspension of the restricted license until Respondent presents such
25 evidence. The Commissioner shall afford Respondent the opportunity for a hearing pursuant to
26 the Administrative Procedure Act to present such evidence.

27 ///

1 6. Respondent shall, within six (6) months from the effective date of this
2 Stipulation and Agreement and Decision after Rejection, present evidence satisfactory to the
3 Real Estate Commissioner that Respondent has taken and successfully completed a firearms
4 safety course. If Respondent fails to satisfy this condition, the Commissioner may order the
5 suspension of the restricted license until Respondent presents such evidence. The Commissioner
6 shall afford Respondent the opportunity for a hearing pursuant to the Administrative Procedure
7 Act to present such evidence.

8 7. Respondent shall notify the Commissioner in writing within 48 hours of
9 any arrest by sending a certified letter to the Commissioner at the Department of Real Estate,
10 Post Office Box 187000, Sacramento, CA 95818-7000. The letter shall set forth the date of
11 Respondent's arrest, the crime for which Respondent was arrested, and the name and address of
12 the arresting law enforcement agency. Respondent's failure to timely file written notice shall
13 constitute an independent violation of the terms of the restricted license and shall be grounds for
14 the suspension or revocation of that license.

15 8. Respondent shall fully comply with all the conditions of probation in
16 Case No. CR-F-10-0000165, in the matter of the *People of the State of California v. Jeffrey D.*
17 *Bradshaw*, Yuba County Superior Court. Any violation of Respondent's criminal probation shall
18 constitute an independent violation of the terms of the restricted license and shall be grounds for
19 the suspension or revocation of that license.

20
21 DATED: 6/12/2012



KENNETH C. ESPELL,
REAL ESTATE COUNSEL II

DEPARTMENT OF REAL ESTATE

24 ///

25 ///

26 ///

27 ///

